

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 2868-01
BILL NO.: HB 1262
SUBJECT: Prisons & Jails: Criminal Procedure
TYPE: Original
DATE: January 17, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the Attorney General, Department of Public Safety - Missouri State Highway Patrol, Office of Prosecution Services, Department of Revenue** assume this proposal would have no fiscal impact to their agencies.

In response to an identical proposal last session, officials from the **Office of Administration** assumed the proposal would have no fiscal impact on their agency.

Officials of the **State Public Defender** assume that existing staff could provide representation for those 15-20 cases arising where the indigent persons were charged due to the increased amount of time the prosecution would have to file charges. However, passage of more than one similar bill would require the State Public Defender System to request increased appropriations to cover the cumulative cost of representing the indigent accused.

Officials of the **State Courts Administrator (CTS)** assume this proposal would allow a person suspected of certain felonies to be held for 48 hours without being charged (the current limit is 20 hours). CTS officials would expect some cases to test the parameters of the proposal, but would not anticipate a significant increase in the workload of the judiciary.

Oversight assumes there could be some increase in local jail populations as a result of this proposal. However, Oversight assumes any fiscal impact to political subdivisions should be minimal.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
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0	0	0
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<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
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0	0	0
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FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

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DESCRIPTION

This proposal would allow law enforcement officials to detain a person for 48 hours without charging the person with a crime if the person had been arrested for first or second degree murder, first degree assault or robbery, forcible rape or sodomy, or distribution or manufacture of drugs. Currently, a person who is arrested for these offenses must be released within 20 hours unless the person is charged with a crime.

This legislation is not federally mandated, would not duplicate any other program, and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Revenue
Office of Administration
Office of State Courts Administrator
Office of Prosecution Services
Office of the Attorney General
Office of State Public Defender
Department of Public Safety
Missouri State Highway Patrol

NOT RESPONDING: Office of Administration



Jeanne Jarrett, CPA
Director
January 17, 2000